

97789.00003

PATENT

December 3, 2003

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22141 U.S. PTO
10/726981



Docket Number: 97789.00003
Prior Application: 10/134,003
Prior Examiner: Bahar, Mojdeh
Prior Art Unit: 1617

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a		continuation-in-part
	x	continuation
		divisional

application under 37 CFR 1.53 of prior patent application Serial No. 10/134,003 filed on April 29, 2002, entitled **KIT CONTAINING TATTOOS FOR MEDICAL AND SURGICAL APPLICATIONS**, by the following named inventor(s):

Full Name of Inventor	Family Name Berryman	First Given Name Michelle	Second Given Name V.
Residence & Citizenship	City Marietta	State or Foreign Country Georgia	Country of Citizenship United States of America.
Post Office Address	Post Office Address 174 Weatherstone Parkway	City Marietta	State & Zip Code/Country Georgia 30068/USA

Full Name of Inventor(s)	Family Name Wiese	First Given Name Deborah	Second Given Name S.
Residence & Citizenship	City Phoenix	State or Foreign Country Arizona	Country of Citizenship United States of America
Post Office Address	Post Office Address 15230 N. 19th Way	City Phoenix	State & Zip Code/Country Arizona 85022/USA

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence, is, on the date shown below, being:

MAILING	FACSIMILE
<input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.	<input type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office.
<input checked="" type="checkbox"/> deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. EXPRESS MAIL #EV407112002US	DATE: December 3, 2003 Joan Simmons

- x 1. A copy of the specification and claims as originally filed (sixteen (16) pages) and three (3) sheets of figures (Figs. 1-9) are enclosed.
- x 2. A preliminary amendment (7 pages) is enclosed. By way of this Preliminary Amendment, Claims 1-14 are remaining.
- x 3. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 above.
4. The filing fee is calculated on the basis of the claims existing in the subject application.
5. This application is directed to non-elected subject matter initially presented in parent application, Serial No. 10/134,003.

Large Entity

Claims	(1) For	(2) Number filed	(3) Number extra	(4) Rate	(5) Calculations
	Total Claims	- 20	0	X \$ 18.00	\$
	Independent Claims	- 3		X \$ 86.00	\$
	Multiple Dependent Claim(s) (if applicable)			+ \$ 290.00	\$
			Basic Fee		+ \$ 770.00
		Total of above Calculations =			\$
				Other	\$
				TOTAL	\$0.00

Small Entity

Claims	(1) For	(2) Number filed	(3) Number extra	(4) Rate	(5) Calculations	
	Total Claims	14- 20	0	X \$ 9.00	\$ 0.00	
	Independent Claims	1- 3	0	X \$ 43.00	\$ 0.00	
	Multiple Dependent Claim(s) (if applicable)			+ \$ 145.00		
			Basic Fee		\$ 385.00	
		Total of above Calculations =				\$
				Other	\$	
				TOTAL	\$385.00	

X	The Commissioner is hereby authorized to charge the required filing fee of \$385.00 and any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 501402. A duplicate copy of this sheet is enclosed.
x	A copy of the prior Declaration (executed) and a subsequent Revocation of Prior Powers of Attorney (executed) are enclosed.
x	Amend the specification by changing the first sentence to read:

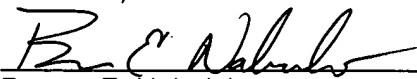
This application is a		continuation-in-part
	x	continuation
		divisional

X	of application Serial No. 10/134,003 filed April 29, 2002, which was a divisional of application Serial No. 09/788,953, filed February 20, 2001, now abandoned.
X	This application claims the benefit of small entity status.
X	Priority of U.S. application Serial No. 10/134,003 filed April 29, 2002 and Serial No. 09/788,953 filed on February 20, 2001 are claimed under 35 U.S.C. 120.
	Priority of U.S. provisional patent application Serial No. _____ filed on _____ is claimed under 35 U.S.C. 119(e)
	The Prior Application is assigned of record to: a copy of the Certificate under 37 CFR 3.73 is attached hereto.
	An unexecuted Declaration, Power of Attorney, and Petition is enclosed.
X	Also enclosed: Certificate of Express Mail; and return postcard.

Address all future communications to:

Basam E. Nabulsi
 McCARTER & ENGLISH, LLP
 Four Stamford Plaza
 107 Elm Street
 Stamford, CT 06902

Dated: December 3, 2003


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COPY



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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michelle V. Berryman, et al.)
)
Serial No.: 10/134,003) Examiner: Bahar, Mojdeh
)
Filing Date: April 29, 2002) Art Unit: 1617
Title: **Kit Containing Tattoos For Medical And Surgical Applications**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION AND FEE FOR EXTENSION
OF TIME UNDER 37 C.F.R. 1.136(a)1**

Sir:

Applicants hereby request a three-month extension of time in which to respond to an Office Action mailed June 3, 2003 in connection with the above-referenced patent application. With the extension, the deadline for response is December 3, 2003. The Commissioner is authorized to charge the required small entity fee of \$475.00 and any additional fees due or credit any overpayment to Deposit Account No. 501402. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

Basam E. Nabulsi, Reg. No. 31,645
Attorney for Applicant(s)
McCarter & English LLP
Four Stamford Plaza
107 Elm Street
Stamford, CT 06902

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 12/3/03

Name: Joan Simmons

Signature:

HARTFORD: 604176.01